UNITED STATES PATENT AND TRADEMARK OFFICE

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10/629,600	07/30/2003	Athena Christodoulou	300201985-3	6127

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER
LI, GUANG W

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/629,600	CHRISTODOULOU ET AL.
	Examiner	Art Unit	
	Guang Li	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>07/11/2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,and 7-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>07/13/2007</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   It is hereby acknowledged that the following papers have been received and

placed of record in the file: Remark date 07/11/2007.

2.   Claims 1-5 and 7-20 are presented for examination. Claim 6 is currently being

cancelled. Claims 1-5 and 9-18 are currently being amended. Claims 19 and 20 are

currently being added.

3.   The Rejections are respectfully maintained and reproduced infra for application's

convenience.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

5.   Claim(s) 1-5 and 7-15 are rejected under 35 U.S.C. 102(e) as being anticipated

by Kotzin Pub. 2003/0163444 A1. Kotzin teaches the inventions as claimed including

steps of downloading a first web page that contains hyperlinks to other webpage, in

which the links are given a priority.

6.   Regarding claim 1, Kotzin teaches a method of browsing a website (Downloading

of data and more particularly the downloading of web pages while browsing the web see

¶[0016]) which has a first web page with second and third links (downloading a fist

webpage that contains hyperlinks to other WebPages; see abstract) second and third

web pages (selecting links or hyperlinks contained in the web page or dataset see

¶[0021]) respectively, the method including the steps of:

Downloading, from a server to a client, information with respect to a

relative priority for downloading the second and third web pages with respect to

each other _(download hyperlink contents in the background to users device from_

server to a client based on user define priority with respect each other see

_¶[0027])_;

a.   subsequent to downloading address information of the second and third

links on the first web page (Webpage corresponding to the hyperlinks contained

in the first webpage are automatically downloaded; see abstract), but prior to

actuation of either the second or third links, commencing the process of

downloading **elements of content of _(web pages that contains hyperlinks_**

see abstract) the second and third web pages (Download other hyperlink page

to memory and retrieved later when needed; see abstract) **from the server to**

the client _(downloading of web pages while web browsing from the server_

to client see [0016]);

b.   wherein the process of downloading the **elements of content of the _(web_**

pages that contains hyperlinks see abstract) second and third web pages is

performed on the basis of the relative priority **of the second and third pages**

(second and third links see ¶[0027]) (priority list in PDL basis on the links with

the highest number of selections or hit rate or frequency; see Fig. 5; ¶[0025] and

¶[0027]).

7.   Regarding claim 2, Kotzin teaches a method according to claim 1 wherein the

relative priority provides relative download speeds (priority of downloading webpage

basis on the PDL list to determined the download speed for other WebPages see Fig. 5;

Fig. 6 and ¶[0027].) for the second and third pages.

8.   Regarding claim 3, Kotzin teaches a method according to claim 2 wherein the

download of the second and third **web** pages *(second and third link that*

corresponding to second and third page see Fig.1) takes place simultaneously (The

downloading of second webpage occur at the same time that the first webpage is being

downloaded see ¶[0019]), the relative **download** speeds *(the web page*

corresponding to the Dailey Finance news link 606 will have already been

downloaded to the device and as a result will be displayed almost

instantaneously only limited by the speed of the device processor and related

circuits see ¶[0028]) corresponding to their relative priority (related hyperlinks are

given a priority level see ¶[0028]).

9.   Regarding claim 4, Kotzin teaches a method according to claim 1, wherein the

relative priority provides a **fixed** *(on the initial page or trigger condition able priority*

order to load the page see Fig.6 item 612) order (web pages corresponding to links

are downloaded in the background in the order of priority see ¶[0027]) for downloading

the second and third pages and future pages.

10.   Regarding claim 5, Kotzin teaches a method according to claim 4 wherein the download of one of the second and third **web** pages _**(second and third link that corresponding to second and third page see Fig.1)**_ only commences (while the first webpage is displayed, the other web pages are stored in the memory see ¶[0024]) when download of the other of the second and third **web** pages is complete **(automatically download other WebPages or other data that correspond to links contained in the first WebPages see ¶[0024]).**

11.   Regarding claim 7, Kotzin teaches a method according to claim 1 further comprising the step of storing the second and third web pages in cache memory (WebPages corresponding the hyperlinks contained in the first web page are automatically downloaded to the memory of the device see abstract; ¶[0019];¶[0024]) within the client.

12.   Regarding claim 8, Kotzin teaches a method according to claim 1 wherein the speed of downloading is controlled (use has the option to determined what point the downloading is terminate and update PDL list for future downloads the see ¶[0030]; ¶[0033]) by at least the client.

13.   Regarding claim 9, Kotzin teaches a method according to claim 8 wherein the relative speed of downloading of the second and third **web** pages _**(second and third link that corresponding to second and third page see Fig.1)**_ is controlled on the basis of instructions (PDL (500) with list of number frequency and prior level loading other pages see ¶[0028]) within the second and third links.

14.   Regarding claim 10, Kotzin teaches a method according to claim 1 wherein the

first, second and third **web** pages *(second and third link that corresponding to*

second and third page see Fig.1) are all on the same website (any intentional

selection within the first page links to another portion or section if the same site see

abstract; ¶[0021]).

15.   Regarding claim 11, Kotzin teaches a method according to claim 1 wherein each

of the links has a specific URL (hyperlinks are one means for pointing to or selecting a

data source to transfer a webpage See Fig.6 element 614; 612 and ¶[0017]) which

identifies uniquely the address within the network of a server (web pages retrieved from

the web server for browsing see ¶[0032]) on which the second and/or third **web** pages

(second and third link that corresponding to second and third page see Fig.1) are

hosted.

16.   Regarding claim 12, Kotzin teaches a method of operating a web server (device

use the browser to access the web pages on the web server see ¶[0032]) comprising

the steps of:

        Sending, (System will transmit the initially requested webpage and in background

of download any additional WebPages see ¶[0032]), **from a server *(downloading a***

first web page that contains hyperlinks to other web pages from server see

abstract) to a client a web page containing two links to further **web** pages, and

        including with the web page for each of the two links (all related hyperlinks (data

set) in the first page see ¶[0019]), an associated relative priority (set the priority level to

load the webpage in the initial page see Fig.6 and ¶[0028]) with which the further **web**

pages are to be pre-emptively downloaded (web page using hyperlinks contain the web

pages being browsed see ¶[0017]) by the client **prior to actuation of either of the two**

links *(automatically download other WebPages or other data that correspond to*

links contained in the first WebPages see ¶[0024]).

17.   Regarding claim 13, Kotzin teaches a method according to claim 1 wherein the

relative priority provides relative download speeds (priority of downloading webpage

basis on the PDL list to determined the download speed for other WebPages see Fig. 5;

Fig. 6 and ¶[0027].) for the further **web** pages **(Other webpage "a user may have a**

web page displayed on the device, which has hyperlinks contained within the

page and within the text of the page are used to allow the user to navigate to

other web pages or data" see¶[0004]).

18.   Regarding claim 14, Kotzin teaches a method according to claim 13 wherein the

further **web** pages **(Other webpage "a user may have a web page displayed on the**

device, which has hyperlinks contained within the page and within the text of the

page are used to allow the user to navigate to other web pages or data"

see¶[0004]) are downloaded simultaneously (The downloading of second webpage

occur at the same time that the first webpage is being downloaded see ¶[0019]).

19.   Regarding claim(s) 15, Kotzin teaches a method according to claim 12 wherein

the relative priority provides a **fixed** *(on the initial page or trigger condition able*

priority order to load the page see Fig.6 item 612) order (web pages corresponding

to links are downloaded in the background in the order of priority see ¶[0027]) in which

the further **web** pages **(Other webpage "a user may have a web page displayed on**

the device, which has hyperlinks contained within the page and within the text of

the page are used to allow the user to navigate to other web pages or data"

see¶[0004]) are to be downloaded with **respect to each other _(download hyperlink_**

contents in the background to users device from server to a client based on user

define priority with respect each other see ¶[0027]).

Claim Rejections - 35 USC § 103

20.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

21.   Claims 16-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin

(US 2003/0163444 A1) in view of Najork et al. (US 6,263,364).

22.   Regarding claim 16, Kotzin teaches a web page including first and second links to

first and second further pages **(First web page that contains hyperlinks to other web**

pages see abstract), each link having associated therewith a relative priority **(related**

hyperlinks are given a priority level see ¶[0028]) with which the first and second

further pages are to be pre-emptively downloaded (web page using hyperlinks contain

the web pages being browsed see ¶[0017]) a client displaying the web page (data or

WebPages are stored as information transferred from source to display on the device's

display see ¶[0022]) prior to actuation either first and second links.

Kotzin does not explicitly disclose web pages associated with relative priority from a server to a client display web page prior to actuation of either the first links and second links, the relative priority being determined by the server.

Najork teaches web pages associated with relative priority from a server to a client display web page prior to actuation of either the first links and second links, the relative priority being determined by the server **(Queue elements are then distributed from the priority queues to a set of underlying queues in accordance with their relative priorities see col.4 lines 1-6)**. Najork further provides the advantage of download documents from among a plurality of host computers that includes priority queues each associated with a distinct priority level.

It would have been obvious to one of ordinary skill in the art, having the teachings of Kotzin and Nojirk before them at the time the invention was made to modify the method of browsing a website of Kotzin to include priorities based on server side as taught by Najork.

One of ordinary skill in the art would have been motivated to make this modification in order to provide more efficient browsing web pages in view of Najork.

23.   Regarding claim 17, Kotzin together with Najork taught a method of browsing a website according to claim 16, as described above. Kotzin further teaches wherein the relative priority provides relative download speeds for first and second pages (priority of downloading webpage basis on the PDL list to determined the download speed for other WebPages see Fig. 5; Fig. 6 and ¶[0027]).

24.   Regarding claim 18, Kotzin together with Najork taught a method of browsing a website according to claim 16, as described above. Kotzin further teaches here in the relative priority provides a predetermined relative order in which the first and second further pages **(First web page that contains hyperlinks to other web pages see abstract)** are to be downloaded with respect each other **(download hyperlink contents in the background to users device from server to a client based on user define priority with respect each other see ¶[0027])**.

25.   Regarding claim 19, Kotzin together with Najork taught a method of browsing a website according to claim 1, as described above. Kotzin further teaches prior to the step of downloading information with respect to a relative priority **(priority can be measures by the number of hits or frequency of selection see ¶[0027])**:

determining, by the server based on a first number corresponding to selections of the second web page made by a plurality of clients within a previous time period and a second number corresponding to selections of the third web page made by the plurality of clients within the previous time period, the relative priority to be assigned to the second and third web pages **(initial page or trigger condition page selections of the second and third webpage link (Item 606,608 or 610) and assigned priority (item 612) see Fig 6)**.

26.   Regarding claim 20, Kotzin together with Najork taught a method of browsing a website according to claim 12, as described above. Kotzin further teaches prior to the step of downloading information with respect to a relative priority **(priority can be measures by the number of hits or frequency of selection see ¶[0027])**:

determining, by the server based on a first number corresponding to selections of

the second web page made by a plurality of clients within a previous time period and a

second number corresponding to selections of the third web page made by the plurality

of clients within the previous time period, the relative priority to be assigned **(initial**

page or trigger condition page selections of the second and third webpage link

(Item 606,608 or 610) and assigned priority (item 612) see Fig 6) to the further web

pages **(Other webpage "a user may have a web page displayed on the device,**

which has hyperlinks contained within the page and within the text of the page

are used to allow the user to navigate to other web pages or data" see¶[0004]).

Response to Arguments

27.   Applicant's arguments with respect to claim 1-5 and 6-20 have been considered

but are moot in view of the new ground(s) of rejection.

28.   Applicant argues independent claim 1 has been amended to include the feature of

now-canceled claim 6 as well as other features, whereby " subsequent to downloading

address information of the second and third links on the first web page, but prior to

actuation of either the second or third web pages, wherein the process of downloading

the elements of content of the second and third web pages, wherein the process of

downloading the elements of content of the second and third web pages is performed

on the basis of the relative priority of the second and third pages. The examiner rejected

all the features under Kotzin references being the relative priority to be assigned to the

second and third web pages **(initial page or trigger condition page selections of the**

second and third webpage link (Item 606,608 or 610) and assigned priority (item

612) see Fig 6). Applicant also amended the claim 1, downloading, from a server to a

client, information with respect to a relative priority for downloading the second and third

web pages with respect to each other. In Kotzin reference disclosed download webpage

from a server to a client with respect to relative priority for download the second and

third page with respect to each other as in claim 1 rejection.

29.   In further applicant argues in the substance that Kotzin teaches a user defines a

PDL or PDLs for one or more web pages that he/she frequently visits, whereby that

information is used to cause a server to initiate downloading of links on those frequently

visited web pages to the user according to the user-defined priorities for those links. The

examiner address with the applicant in Kotzin, the user defined priorities, whereby in the

[presently claimed invention the server defines the priorities. The examiner combined

Kotzin reference and Najork reference to overcome applicant's argument in claims 16-

20 as set hereinabove. Najork teaches web pages associated with relative priority from

a server to a client display web page prior to actuation of either the first links and

second links, the relative priority being determined by the server **(Queue elements are**

then distributed from the priority queues to a set of underlying queues in

accordance with their relative priorities see col.4 lines 1-6).

Conclusion

30.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

The following prior art made of record and not relied upon is cited to establish the

level of skill in the applicant's art and those arts considered reasonably pertinent to

applicant's disclosure. See **MPEP 707.05(c)**.

The following reference teaches execution of trial data.

- US 5,983,190 (Trower, II et al.) teaches a client server animation system

providers service to and lip-synched speech output for an interactive user interface

- US 6,178,432 (Cook et al.) teaches a system and method are disclosed

for creating an interactive web page

The examiner requests, in response to this Office action, support be shown for

language added to any original claims on amendment and any new claims. That is,

indicate support for newly added claim language by specifically pointing to page(s) and

line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

When responding to this office action, Applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in view of the state of the art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guang Li whose telephone number is (571) 270-1897. The examiner can normally be reached on Monday-Friday 8:30AM-5:00PM(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

August 28, 2007
Guang Li
Patent Examiner

JEFFREY PWU
SUPERVISORY PATENT EXAMINER